

**THE COMMON COUNCIL OF THE CITY OF NEW ALBANY,
INDIANA HELD A MEETING IN THE CITY/COUNTY BUILDING
ON THURSDAY, MAY 3, 2007.**

The meeting of the **New Albany City Council** was called to order by President Larry Kochert at 7:31 p.m. The meeting opened with the Lords Prayer and the Pledge of Allegiance.

MEMBERS PRESENT: Council Members Mr. Coffey, Mr. Schmidt, Mr. Zurschmiede, Mr. Price, Mrs. Crump, Mr. Gahan, Mr. Messer, Mr. Blevins, and President Larry Kochert.

OTHERS: Council Attorney Jerry Ulrich and City Clerk Marcey Wisman.

ALSO: John Rosenbarger, Planning and Zoning, Shane Gibson, City Attorney, Anthony B. Toran, Director of City Operations and Mayor James E. Garner, Sr.

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Coffey moved to approve the regular meeting minutes and the public hearing minute from April 19, 2007, Mr. Schmidt second, all voted in favor.

COMMUNICATIONS – PUBLIC:

COMMUNICATIONS – CITY OFFICIALS:

Mrs. Crump wished everyone the best in the up-coming election.

Mr. Paul Wheatley approached the council to talk about the economic revenue bond for Product Specialties and stated that their bond council is there to answer any question that they may have. He explained that he is there to ask for all three readings and that he understands that the council shies away from that but he is asking them to make an exception so that they can close on the bond.

Mrs. Crump moved to suspend the rules to have all three reading on G-07-07, Mr. Coffey second, all voted in favor.

Mr. Price presented a letter from a Mr. Bill Bensing who is having a problem with an abandoned house whose grass is out of control. He stated that he and Mr. Bensing talked with Mr. Denison tonight before the meeting and learned that it will be cut on Friday. He also mentioned that the street sweeper on Woodrow Ave. comes at different times not coordinating with what time the signs says.

Mr. Blevins said they will sometimes do a test run on a street to make sure the sweeper is working properly but no one gets tickets.

Ms. Wisman said that he would need to contact Chuck Simons about the issue.

COMMUNICATIONS – MAYOR:

APPOINTMENTS:

APPROVAL OF CF-1 FORMS:

Jones Popcorn, Inc., d/b/a Clark's Snacks, Compliance
With Statement of Benefits, Referencing R-97-19

Mr. James Jones was present to represent Jones Popcorn, Inc.

Mrs. Crump moved to approve, Mr. Zurschmiede second, all voted in favor.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS: READING

G-07-07	An Ordinance Authorizing the Entry into a Master Lease- Purchase and Sublease-Purchase Agreement in an Aggregate Principal amount not to Exceed \$2,000,000 With National City Equipment Finance and Product Specialties, Inc.; to Finance the Equipping of an Economic Development Facility Located within The City of New Albany, Indiana; Authorizing a Master Lease-Purchase and Sublease-Purchase Agreement; and Authorizing other Actions in Connection with the Transactions.	Messer 1
---------	---	----------

Mr. Messer moved for all three readings of G-07-07, Mr. Coffey second, all voted in favor. Bill G-07-07 became Ordinance No. G-07-17

Mr. Kochert explained that what we are doing is helping them to get a cheaper rate but it will not affect the city financially.

Z-07-08	Ordinance Amending the Code of Ordinances of New Albany, Indiana Title XV, Chapter 156 (Docket P-04-07: Graceland Baptist Church)	Zurschmiede1
---------	---	--------------

Mr. Zurschmiede moved for the first reading of Z-07-08, Mrs. Crump second, all voted in favor

Mr. Coffey asked why there was a 9:30 p.m. lights out at Graceland, but it is not a stipulation made for the soccer field on Budd Road.

Mr. Wood said that wasn't the case and that the other field has their lights out by 10:00 p.m.

Mr. Zurschmiede stated that Graceland volunteered to the 9:30 p.m. time because they wouldn't even be using the field then.

A-07-08	An Ordinance Amending Ordinance A-06-38 Setting The Salaries for the Year 2007 for Non-Bargaining Unit Employees	Zurschmiede2&3
---------	--	----------------

Mr. Zurschmiede moved for the second and third reading of A-07-08, Mr. Messer second, all voted in favor. Bill A-07-08 became Ordinance A-07-18.

Mr. Zurschmiede explained that this person is especially needed now that Mr. Solomon is stepping down because he was going above and beyond what he had to do for the sewer board and they weren't guaranteed that type of dedication in the next member.

Mr. Kochert explained there is some question about funding for this individual but the sewer board attorney is being paid almost \$70,000.00 a year and his regular salary is \$28,000.00 and he is doing engineer work and if they get someone to take over this job it will cut his salary and MI2's contract is up this year so that is other monies that will be available.

Mr. Zurschmiede stated that this position will save the City money in the long run.

Mr. Gahan stated that he feels that everyone agrees that this person is necessary, but he is wondering if they utility has the money in their budget.

Mr. Kochert stated that it is his opinion to get this individual in and working before Mr. Solomon leaves.

Mr. Blevins asked if the individual would be an engineer.

Mr. Kochert said definitely and explained that Mr. Solomon volunteered to help screen the candidate.

Mr. Price asked if this would reflect in the June Budgets

Mr. Kochert stated that he would like to get the budgets done early but that they are getting a monthly report on what is being budgeted and this will come out of the sewer utility.

Mr. Gahan asked if they are basing the decision tonight on the sewer board recommendation alone and if they could afford it.

Mr. Kochert said yes it is based on the recommendation of the board as a whole and that each individual felt this was needed and they can afford it.

Mr. Price asked if the individual would sit on the sewer board.

Mr. Kochert stated that the way it is now he would sit on the board but not be a voting member.

Mr. Messer stated that as a city they can't afford not to hire this individual and that they will be there to oversee the sewers and ensure the proper spending of funds and they will be able to keep the council up-to-date on the daily operations of the sewer utility.

Mr. Price stated that they spent \$307, 00.00 for engineer consultants and he wondered if this was EMC.

Mr. Zurschmiede explained that over \$200,000.00 of that was EMC and that it shouldn't even be listed under that line item, but they were serving as the engineers when the plant was built.

Mr. Coffey stated that the city is going to need an engineer and he would like to see if the city and the utility could combine the pay to get a more qualified person.

Mr. Zurschmiede stated that this person really should only work for the sewer utility because it is almost as large as the entire city general fund.

Mr. Kochert stated that he doesn't think it would work and that some cities have a staff of engineers and he does not think the cross over will work.

Mr. Messer stated that this is the second biggest budget other than the general fund and you can't ask this individual to oversee the entire city, it would just be too much for one individual and they need someone to focus all their energy on the sewer utility.

Mr. Coffey stated that he agrees and he has seen that sewer boards in the past have gotten the city in trouble and he thinks the engineer should be answering to the city not just the sewer board.

Mr. Kochert stated that this is a start and he gave the example that out in basin 35 the developers have not put lines in that are large enough for the flow and they are going to have to parallel lines now and if they had an engineer this problem could have been avoided.

Mr. Gahan stated that he agrees that this is needed and is looking forward to seeing the budget for this.

Gahan moved for the second and third reading of A-07-011, Mr. Coffey second, all voted in favor. Bill A-07-11 became Ordinance A-07-19.

G-07-06 An Ordinance to Amend Ordinance G-04-27 Code Schmidt 2&3
34.01 Mileage and Travel Allowance Reimbursement

Mr. Schmidt tabled this item to have discussion on the mileage.

MISCELLANEOUS COMMUNICATIONS: (public comments on non-agenda items)

Mr. Duggins presented a letter from the NAPFF, Local 410, regarding taking a vote for a merit system. The letter stated that the Local Union 410 is in favor of a merit system. Said letter is on file with the city clerk's office.

Mr. Messer asked if they go through the process of setting up an ordinance for this to be voted on if they would be there.

Mr. Duggins stated that it was their attorney that was drawing it up and he has been in contact with Mr. Gibson.

Mr. Messer stated that his only concern is that they put all the work into doing this ordinance and bringing it to the council as they have in the past and their union voted it down.

Mr. Duggins stated that they haven't voted on the merit system in a very long time and the reason it was voted down then was because of the older firefighter's fear of losing their positions.

Mr. Messer stated that they have to have an ordinance and he just wanted to put something down on paper so when it is in place there is no contest from the union members and he is afraid that is going to be drawn out.

Mr. Duggins stated that he doesn't foresee their membership voting it down.

Mr. Kochert stated that in the past the budgets have come to them in late June or July and if no one minds he is going to talk with Kay to do the budget earlier.

Mr. Schmidt stated that he believes that the two council members that are on the sewer board that are not getting paid should be.

ADJOURN:

There being no further business before the council, the meeting adjourned at 8:18 p.m.

Larry Kochert, President
Common Council, City of New Albany

ATTEST: _____
Marcey Wisman, City Clerk